

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34268 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

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PANCHANAN TAPASWI son of JAIDEO TAPASWI Resident of Village-
Dumrawan, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr. Choubey Jawahaar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case registered
under Section 307/34 of the Indian Penal Code and 27 of the Arms
Act.

Allegedly, in course of dancing in course of a function of
Matkor of marriage ceremony, firing was made which hit in the hand
of the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner



has been made accused in the present case due to mistake of fact. Firing was alleged to have been made in course of marriage ceremony, as a result of which, the informant sustained injury. There was no intention to commit murder of the informant. The petitioner has filed a petition (Annexure-2) before the court below wherein he retracted from his earlier statement made in the FIR.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate (Majhaul), Begusarai in connection with Cheriya Bariyarpur (Majhaul) P.S. Case No. 27 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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